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ATTORNEYS AT LAW

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12390 El Camino Real  
San Diego, California 92130-2081  
PHONE 255.720.2500  
FAX 858.720.2555  
www.brobeck.com

September 12, 2002

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## TO

## RECIPIENT

TC 1600 - Customer Service

## COMPANY

Group Art Unit 1616  
U.S. Patent & Trademark Office

## TELEPHONE

(703) 872-9305

## FAX

(703) 872-9308

## COURTESY COPY TO:

## RECIPIENT

Dameron Jones,  
Examiner

## COMPANY

Group Art Unit 1616  
U.S. Patent & Trademark Office

## TELEPHONE

(703) 308-4640

## FAX

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## FROM

## SENDER

Diana L. Bush, Ph.D., Esq.

## EMAIL

Dbush@Brobeck.com

## TELEPHONE

(858) 720-2826

## FAX

(858) 720-2555

## MESSAGE

Re: U. S. Patent Application Ser. No. 09/878,454  
Filed Date: October 16, 2001

Dear Examiner Jones:

Per our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed First, Second, and Third Preliminary Amendments.

Diana L. Bush, Ph.D., Esq.

## P R I V I L E G E D A N D C O N F I D E N T I A L

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**September 12, 2002**

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Dameron Jones, Examiner	Group Art Unit 1616 U.S. Patent & Trademark Office	(703) 308-4640	(703) 308-4556

**FROM**

SENDER	EMAIL	TELEPHONE	FAX
Diana L. Bush, Ph.D., Esq.	Dbush@Brobeck.com	(858) 720-2826	(858) 720-2555

**MESSAGE**

Re: U. S. Patent Application Ser. No. 09/978,454  
Filed Date: October 15, 2001

Dear Examiner Jones:

Per our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed First, Second, and Third Preliminary Amendments.

Diana L. Bush, Ph.D., Esq.

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\*\*\* TX REPORT \*\*\*  
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**September 12, 2002**

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**FROM**

SENDER	EMAIL	TELEPHONE	FAX
Diana L. Bush, Ph.D., Esq.	Dbush@Brobeck.com	(858) 720-2826	(858) 720-2555

**MESSAGE**

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Filed Date: October 15, 2001

Dear Examiner Jones:

Per our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed First, Second, and Third Preliminary Amendments.

Diana L. Bush, Ph.D., Esq.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Erion *et al.*

Serial No.: 09/978,454

Filed: October 15, 2001

Title: NOVEL PRODRUGS FOR  
PHOSPHORUS-CONTAINING  
COMPOUNDS

Group Art Unit: 1616

Examiner: Dameron Jones

Commissioner for Patents  
Washington, D.C. 20231

**REMARKS**

Dear Sir:

The Applicants wish to thank the Examiner for her consideration in returning their representative's phone call regarding the preliminary amendments that are not in the file in this matter.

As per the Examiner's request, the Applicants include herewith copies of the three preliminary amendments previously filed on January 22, 2002, January 25, 2002 and March 27, 2002 and the Auto-Reply Facsimile Transmissions from the PTO, acknowledging receipt of the amendments.

**CERTIFICATE OF TRANSMISSION**  
(37 C.F.R. §1.8)

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Jim C. Youke  
Jim C. Youke

The Applicants respectfully request that the Examiner withdraw the Office Action mailed August 29, 2002 in order to consider all of the preliminary amendments.

Respectfully Submitted,

Date: 9/12/02

By: Diana L. Bush  
Diana L. Bush  
Reg. No. 51,109

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